



**State of Utah**

Jon M. Huntsman, Jr.  
*Governor*

Gary Herbert  
*Lieutenant Governor*

**Administrative Services**

*Executive Director*

**Purchasing and General Services**

DOUGLAS RICHINS

*Division Director*

SOLICITATION NUMBER: RM5080AD1

DUE DATE: 06/03/05

TIME: 3:00 P.M.

STATE PURCHASING AGENT: ROSELLE MILLER

DATE ADDENDUM SENT: 05/19/05

ITEM(S) TO BE PURCHASED: Contract for Economic Feasibility Study of relocating the Draper Prison.

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**ADDENDUM #1**

**Please see attached.**

**Solicitation due date and time remain the same Wednesday,  
June 03, 2005 at 3:00 p.m.**

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Please return all addenda with solicitation or add a statement to your original Solicitation acknowledging receipt of any addenda received on this solicitation or your bid may be rejected.

## **Addendum 1 to Solicitation Number RM5080**

**Item 1.** On page 10, replace paragraph 3 under Proposal Requirements and Company Qualifications with the following:

**3. Private Prison Companies and Parties Interested in Developing the Draper Prison Site for Other Purposes.** Private prison companies, and persons acting as lobbyists for private prison companies, are not eligible for selection as the Consultant and may not be members of the Consultant's team that conducts this study.

Parties seeking an ownership interest in the Draper Prison site or the right to develop the site, and persons acting as lobbyists for such parties, are not eligible for selection as the Consultant and may not be members of the Consultant's team that conducts this study.

This exclusion is not intended to prohibit the selected Consultant from obtaining information from private prison companies or parties interested in developing the Draper Prison site. Any such information shall only be for the Consultant's consideration in performing the study.

**Item 2.** On page 11, replace paragraph 5 under Proposal Response Format with the following:

**5. Independence and Conflict of Interest Certification.** Each Consultant shall submit the following conflict of interest certification with its proposal. A similar certificate shall be submitted by each of the Consultant's paid sub-consultants. In this certificate, the term "lobby" and "lobbyist" shall have the following meaning consistent with Section 36-11-102, UCA.

"Lobby" means to communicate with a public official for the purpose of influencing the passage, defeat, amendment, or postponement of legislative or executive action.

"Lobbyist" means an individual who is employed by a principal or who contracts for economic consideration, other than reimbursement for reasonable travel expenses, with a principal to lobby a public official. The exclusions from the definition of a Lobbyist as provided in subsection 36-11-102(9)(b) apply but are not repeated herein.

"Public Official" means:

- (a) a member of the Legislature;
- (b) an individual elected to a position in the executive branch; or
- (c) an individual appointed to or employed in the executive or legislative branch if that individual:
  - (i) occupies a policymaking position or makes purchasing or contracting decisions;
  - (ii) drafts legislation or makes rules;
  - (iii) determines rates or fees; or

- (iv) makes adjudicative decisions.

### Certificate Regarding Conflicts of Interest

\_\_\_\_\_ (the firm) certifies the following:

1. The firm does not own or operate private prisons, have an ownership interest in a company that owns or operates private prisons, nor is it a lobbyist as defined in addendum 1 of the RFP for a private prison company.
2. The firm has not lobbied (as defined in addendum 1 of the RFP) for the relocation of the Draper Prison in order to enhance a financial interest of the firm or its principals.
3. The firm agrees that, for the three-year period following the completion of the study, the firm will not:
  - a. Pursue an ownership interest in any portion of the Draper Prison site; or
  - b. Lobby for or against the relocation of the Draper Prison.

This certification does not limit the ability of the firm to provide services to:

1. Governmental entities or
2. Other entities that may become involved in the future development of the Draper Prison site after completion of this study as long as these services do not provide for the acquisition of an ownership interest in the Draper Prison site within the three-year period following completion of the study.

**Item 3.** On page 9, replace paragraph 1. under F. Presentations with the following:

1. The Consultant's proposal shall include two presentations to reviewing committees.

**Item 4.** On page 10, replace paragraph 3.D. under Proposal Response Format with the following:

**D. Staffing Plan Including Organization Chart.** Provide an organization chart showing the relationship of key members of the Consultant's team. Provide a staffing plan that identifies individuals who will participate in the study and their estimated total number of hours.

**Item 5.** On page 12, replace Attachment 1, Cost Proposal with the following:

Attachment 1

## COST PROPOSAL

Proposer Name: \_\_\_\_\_

1. Provide a lump sum cost for performing all services described in the proposal including any costs for travel, printing, communications, etc. The cost of traveling to and participating in public hearings on the draft report, printing the final draft for public comment and the final report will be treated as a reimbursable which is in addition to the lump sum amount.

Lump Sum Fee \$\_\_\_\_\_

2. List the name, job title, firm, and hourly billing rate for each member of the Consultant's team. Note that the purpose of identifying these rates is to determine the reimbursable cost associated with public hearings and to facilitate negotiations if the State chooses to modify or increase the scope of services from that identified in the Consultant's proposal.